



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION II
26 FEDERAL PLAZA
NEW YORK, NY 10278
FACSIMILE REQUEST AND COVER SHEET

PLEASE PRINT IN BLACK INK ONLY

TO:

DWAYNE HARRINGTON

DATE/PHONE

JAN 07 1991

FAX FTS 340-6899

201-906-6182

PHONE FTS 340-6899

REGION

EPA - EDISON NJ.

FROM:

SUSAN H.S. MONKS

PHONE

FTS 264-4940

MAIL CODE

OFFICE

EPA - ORC NJ SUP

DATE

12/20/90 1/7/91

TOTAL NUMBER OF PAGES 7

(33) Thirty three

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INFORMATION FOR SENDING
FACSIMILE MESSAGES

Equipment

Facsimile
Number

Verification
Number

RICOH FAX 70E

FTS: 264-4359 (Auto)
COMM: (212) 264-4359

FTS: 264-1018
COMM: 212-264-1018

Please provide comments by Jan. 11, 1991.
Thank you.

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7. Prior to issuing a loan to Richard and Diane Max and/or Synkote Paint, or at any other time, did the Bank inspect the property? If so, provide:
 - a. the date of inspection and the name and address for each inspector.
 - b. describe the nature and scope of the inspection.
 - c. state the inspection results.
 - d. provide copies of the inspection report.
8. Did the Bank use any property of Richard and Diane Max, Synkote Paint and/or any other person as security/collateral for any loans?
9. Has the Bank ever had the Site appraised? If so, provide for each appraisal:
 - a. the date.
 - b. the results.
 - c. a copy of the appraisal report.

10. Did the Bank have any operational control over the borrowers' (Richard and Diane Max and/or Synkote) activities at the Site? If so, describe the nature and scope of the control and all supporting documentation.
11. State and explain the following and submit copies of all relevant documents for each answer.
 - a. When did the Bank determine that Richard E. Max and/or Synkote Paint were in default on their loan(s)?
 - b. When did the Bank commence the foreclosure proceedings?
 - c. When did the Bank obtain a judgement?
 - d. When did the Bank take possession of the Site?
 - e. When did the Bank request the sheriff to sell the Site?
 - f. When did the sheriff sell the Site? Submit a copy of the advertisement for the sheriff's sale.
12. Upon foreclosure of the Site property did the Bank:
 - a. hold record title to the Site? If not, specify what kind of legal interest the Bank held.

- b. have actual control of the Site? If not, provide the name(s), address(es) and telephone number(s) of the person(s) who did.
13. When and how did Property Concepts first know or have reason to know that CERCLA waste materials were or may have been generated, treated, stored or disposed of at the Site?
- a. did you take any measures to abate and/or stop the contamination? If so, explain in detail.
- b. Did you notify anyone of the contamination? If so, explain in detail.
14. Did the Bank provide public notice of the presence of hazardous substances and wastes at the Site? If so, provide the dates, specify the manner and provide a copy of the notice(s).
15. In the period of time between foreclosure and the Bank's judgement of the Site property, did the Bank take any security measures to protect and preserve the Site assets? If so, explain in detail all actions taken to stop the release and/or threat of the release of any hazardous substances or wastes at the Site.

16. Has the Bank ever undertaken any actions with respect to the Site? Actions include but are not limited to:

- a. having control of the keys.
- b. having a caretaker and/or watch person at the Site.
- c. having any repair done.
- d. installation of any type, ie. fence
- e. maintaining the Site.
- f. paying any bills
- h. receiving any monies

17. Did the Bank notify the New Jersey Department of Environmental Protection ("NJDEP") pursuant to the Environmental Cleanup Responsibility Act ("ECRA") of the sale?

- a. If not, explain why.
- b. If yes, explain and provide a copy of all relevant documents.

18. State whether there exists any agreements or contracts (other than an insurance policy) which may indemnify the Bank, for any liability that may result under CERCLA for any release at the Site. If so, please provide copies of all such agreements or contracts.
19. State whether any insurance policies have ever been in effect which may indemnify the Bank against any liability which it may have under CERCLA for any release or threatened release of hazardous substance that may have occurred at the Site. If so, please provide copies of all such policies. Identify any policy that you cannot locate or obtain by the name of the carrier, years in effect, nature and extent of coverage, and any other information you have.
20. Provide copies of all financial documents, including income tax returns sent by the Bank to the federal Internal Revenue Service and the New Jersey State IRS for 1988.
21. Provide copies of the Bank's financial statement, annual report, balance sheet(s), income statement(s) and cash flow statement(s), including any amendments, for the past three years.

22. Submit any additional information which may help EPA to identify companies or individuals who disposed of CERCLA waste material at the Synkote Paint Site.
23. State the name, address, telephone number, title and occupation of the person(s) answering this "Request for Information" and state whether such person(s) has personal knowledge of the responses. In addition, identify each person who assisted in any way in responding to the "Request for Information" and specify the question to which each person assisted in responding.